

## JOURNAL OF THE HOUSE.

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Tuesday, June 19, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God of Goodness and Truth, we look to You for guidance in carrying out our daily responsibilities and in addressing our many challenging opportunities for serving You and constituents. We pray for Your gift of wisdom which enables us to make the right, reasoned and ethical decisions each day. This gift also help us to form a right conscience as we evaluate the difficult, the complex and often emotional issues of these changing times. May the current and the future common good of the people and our communities remain our top priority.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Barrows of Mansfield and Poirier of North Attleborough) congratulating Gregory Scott Martell on receiving the Eagle Award of the Boy Scouts of America;

Gregory  
Scott  
Martell.

Resolutions (filed by Representatives Barrows of Mansfield and Poirier of North Attleborough) congratulating Daniel Christopher Parsons on receiving the Eagle Award of the Boy Scouts of America;

Daniel  
Christopher  
Parsons.

Resolutions (filed by Representatives Fagan of Taunton, Canessa of New Bedford and Haddad of Somerset) congratulating Leo Melanson on the occasion of his retirement;

Leo  
Melanson.

Resolutions (filed by Representatives Frost of Auburn and Gobi of Spencer) congratulating David E. Roach for his thirty-five years of dedicated service to public education in the Commonwealth;

David E.  
Roach.

Resolutions (filed by Ms. Peake of Provincetown) on the retirement of Peter Borrelli;

Peter  
Borrelli.

Resolutions (filed by Messrs. Petersen of Marblehead and Rice of Gardner) honoring Stephen A. Fulchino for his distinguished service as director of the George Finegold State Library; and

Stephen A.  
Fulchino.

Resolutions (filed by Mr. Speliotis of Danvers) congratulating Mary A. Toomey on the occasion of her ninetieth birthday;

Mary. A.  
Toomey.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Peake, the resolutions (reported by the committee on Bills in the Third

Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Petitions severally were presented and referred as follows:

Medford,  
alcoholic  
beverages.

By Mr. Donato of Medford, petition (accompanied by bill, House, No. 4092) of Paul J. Donato and others (with the approval of the mayor and city council) that the city of Medford be authorized to increase the number of licenses for the sale of wines and malt beverages to be drunk on the premises;

Weston,  
wine  
license.

By Ms. Peisch of Wellesley, petition (accompanied by bill, House, No. 4093) of Alice Hanlon Peisch and Susan C. Fargo (by vote of the town) that the town of Weston be authorized to grant a license for sale of wines not to be drunk on the premises;

Westborough,  
Korean  
Restaurant.

By Ms. Polito of Shrewsbury, petition (accompanied by bill, House, No. 4094) of Karyn E. Polito and others (by vote of the town) that the town of Westborough be authorized to grant a license for the sale of wine and malt beverages to be drunk on the premises to Young Nam Lee, d/b/a Westborough Korean Restaurant; and

Aquinnah,  
liquor  
licenses.

By Mr. Turkington of Falmouth, petition (accompanied by bill, House, No. 4095) of Eric Turkington (by vote of the town) that the town of Aquinnah be authorized to issue certain licenses for the sale of wine and malt beverages to be drunk on the premises;

Severally to the committee on Consumer Protection and Professional Licensure.

Medford,  
school  
funds.

By Mr. Donato of Medford, petition (accompanied by bill, House, No. 4096) of Paul J. Donato and others (with the approval of the mayor and city council) relative to the use of certain school building administration funds by the city of Medford. To the committee on Education.

Everett,  
elections.

By Mr. Smith of Everett, petition (accompanied by bill, House, No. 4097) of Stephen Stat Smith (with the approval of the mayor, board of aldermen and common council) that candidates for public office in the city of Everett be authorized to appear on only one ballot at elections in said city. To the committee on Election Laws.

Duxbury,  
land  
conveyance.

By Mr. Calter of Kingston, petition (accompanied by bill, House, No. 4098) of Thomas J. Calter and others (by vote of the town) relative to the transfer of parcels of land in the town of Duxbury to the conservation commission and the water department of said town;

West Boylston,  
hiring  
practices.

By Mr. O'Day of West Boylston, petition (accompanied by bill, House, No. 4099) of James J. O'Day and Harriette L. Chandler (by vote of the town) for legislation to provide administrative oversight of hiring practices in the town of West Boylston;

West  
Stockbridge,  
conservation  
commission.

By Mr. Pignatelli of Lenox, petition (accompanied by bill, House, No. 4100) of William Smitty Pignatelli (by vote of the town) that the town of West Stockbridge be authorized to appoint associate members to the conservation commission of said town; and

Westborough,  
town charter.

By Ms. Polito of Shrewsbury, petition (accompanied by bill, House, No. 4101) of Karyn E. Polito and others (by vote of the town) that the town of Westborough be authorized to make certain changes in the charter of said town;

Severally to the committee on Municipalities and Regional Government.

By Mr. Turkington of Falmouth, petition (accompanied by bill, House, No. 4102) of Robert A. O'Leary and Eric Turkington (by vote of the town) relative to authorizing the town of West Tisbury to provide group health insurance and other insurance plans for employees of said town; and

West Tisbury,  
insurance.

By Mr. Vallee of Franklin, petition (accompanied by bill, House, No. 4103) of James E. Vallee and others (with the approval of the town council) for legislation to exempt employees of the department of public works in the city known as the town of Franklin from provisions of the civil service law;

Franklin,  
civil  
service.

Severally to the committee on Public Service.

By Ms. Walz of Boston, petition (accompanied by bill, House, No. 4104) of Martha M. Walz (with the approval of the mayor and city council) that the city of Boston be authorized to grant a real estate tax exemption for residents of cooperative housing units. To the committee on Revenue.

Boston,  
cooperative  
housing.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Donato of Medford, petition (subject to Joint Rule 12) of Paul J. Donato that the State Retirement Board be authorized to grant certain creditable service to Robert M. Penta as an elected public official of the city of Medford.

Robert Penta,  
retirement credit.

By Mrs. Harkins of Needham, petition (subject to Joint Rule 12) of Lida E. Harkins that the Division of Capital Asset Management and Maintenance and BMI Realty Trust be authorized to exchange certain parcels of land located in the town of Needham.

Needham,  
land  
exchange.

By Mr. Humason of Westfield, petition (subject to Joint Rule 12) of Donald F. Humason, Jr., and Michael R. Knapik for legislation to establish a sick leave bank for Therese M. Bull, an employee of the Department of Social Services.

Therese M.  
Bull,  
sick leave.

By Mr. Kocot of Northampton, petition (subject to Joint Rule 12) of Peter V. Kocot for legislation to establish a sick leave bank for Rhea Lindstet, an employee of the Department of Revenue.

Rhea  
Lindstet,  
sick leave.

By Mr. Lepper of Attleboro, petition (subject to Joint Rule 12) of John A. Lepper that registrars of voters in cities and towns be directed to include the year of birth in preparing street listings of voters.

Voting lists,  
year of birth.

By Mr. Patrick of Falmouth, petition (subject to Joint Rule 12) of Matthew C. Patrick for a change in the law relative to increasing allowances payable to former public employees retired for accidental disability.

Disability,  
retirement.

By Mr. Peterson of Grafton, petition (subject to Joint Rule 12) of George N. Peterson, Jr., that the Department of Revenue be authorized to establish a sick leave bank for Linda M. Supernor, an employee of said department.

Linda  
Supernor,  
sick leave.

Severally, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

A Bill establishing a sick leave bank for Todd J. Martinson, an employee of the Monson Developmental Center in the Department of Mental Retardation (Senate, No. 1457) (on a petition), passed to

Todd J.  
Martinson, sick  
leave.

be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Williamsburg,  
speed limits.

A petition (accompanied by bill, Senate, No. 2265) of Benjamin B. Downing and Stephen Kulik (by vote of the town) for legislation relative to the speed limits in the town of Williamsburg, was referred, in concurrence, to the committee on Transportation.

Juvenile  
intimidation,  
jurors.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2266) of Michael W. Morrissey, William R. Keating, Norfolk County District Attorney, Robert S. Creedon, Jr., Lida E. Harkins and other members of the General Court for legislation relative to juvenile intimidation of witnesses, jurors and persons furnishing information in connection with criminal proceedings. To the committee on the Judiciary.

American  
flag.

Petition (accompanied by bill, Senate, No. 2267) of Francis J. Derwin for legislation to provide that no other flag or pennant be flown higher than the American flag. To the committee on State Administration and Regulatory Oversight.

#### *Reports of Committees.*

West Boylston,  
open space  
land.

By Mr. Scaccia of Boston, for the committee on Rules, that Joint Rule 7B be suspended on the petition of James B. Leary and others for legislation to convey certain open space land in the town of West Boylston. Under suspension of the rules, on motion of Mr. Petruccelli of Boston, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Homeless,  
hate  
crimes.

By Mr. Kaufman of Lexington, for the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2509) of Barry R. Finegold and others for legislation to expand the definition of "hate crimes" to include assault and battery upon homeless persons,— and recommending that the same be referred to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Band  
instruments.

By Mrs. Haddad of Somerset, for the committee on Education, on a petition, a Resolve establishing a special commission to make an investigation and study relative to the hygienic of band instruments in the public schools (House, No. 3887). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

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By Mrs. Haddad of Somerset, for the committee on Education, on a petition, a Bill establishing a task force within the Department of Education to examine hygienic procedures pertaining to band instruments (House, No. 413). Read; and referred, under Rule 33, to the committee on Ways and Means.

#### *Engrossed Bills.*

##### *Engrossed bills*

Regulating preliminary elections in the city of Woburn (see House, No. 3973); and Bills  
enacted.

Authorizing the town of Sudbury to extend the election date for approving a debt exclusion vote (see House, No. 4042);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

#### *Orders of the Day.*

The House Bill authorizing the town of Tisbury to incur debt for the purpose of removing overhead utilities and replacing the same with underground facilities (House, No. 1996), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence. Third  
reading  
bill.

The House Bill relative to the fines for illegal dumping in the city of Fitchburg (House, No. 3939) was read a third time. Third reading bill  
amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended in section 1, by striking out the words "or within 50 yards thereof,"; in section 2 by striking out the words "or within fifty yards thereof,"; and in section 4, in the third sentence, by striking out the words "and real estate owned by such person in the commonwealth" and inserting in place thereof the words "the real property where the violation occurred".

The amendments were adopted; and the bill (House, No. 3939, amended) was passed to be engrossed. Sent to the Senate for concurrence.

#### *Order.*

On motion of Mr. DiMasi of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next  
sitting.

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At a quarter after eleven o'clock A.M., on motion of Ms. Rogeness of Longmeadow (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.